

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

IN THE MATTER OF THE GUARDIANSHIP
OF ANDREA LYNN RUTHERFORD, CAUSE NO. 84-9-718

DECREE

This cause came on this day to be heard upon the sworn Petition of Terri Lynn Rutherford, as Guardian of the minor child, Andrea Lynn Rutherford, for the authority of the Guardian to execute a deed, and that the Court being fully advised in the premises, does find as follows, to-wit:

1. The Court would show that Terri Lynn Rutherford is the duly appointed, qualified and acting Guardian of the person and estate of said minor, and each of said parties are resident citizens of DeSoto County, Mississippi. That Terri Lynn Rutherford is the mother of the minor child and the wife of the deceased, Robert Van Rutherford.

2. This Court would further show that the said minor owns an undivided 1/6 interest in and to the following described land lying in DeSoto County, Mississippi: House and lot situated at 5844 Caroline Drive, Twin Lakes Subdivision, Walls, DeSoto County, Mississippi, being more particularly described as follows, to-wit:

Lot 35, Section A, Hoytke Austin Lake Subdivision in Section 6, Township 2 South, Range 8 West, as shown on a map or plat thereof recorded in Plat Book 3, Pages 8, 9, and 10, in the office of the Chancery Clerk of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

The said minor having inherited the land from her father, Robert Van Rutherford, who died on or about November 30, 1983, leaving no Last Will and Testament. The deceased, Robert Van Rutherford acquired a 1/2 interest in said property from his father, Robert Rutherford, whose estate was administered in DeSoto County, Mississippi in Chancery Court under Cause No. 83-9-704. That the Estate of Robert Rutherford was finally closed and the Administrator discharged on July 3, 1984, whereby the Estate of Robert Van Rutherford, Terri Lynn Rutherford was shown to own a 1/2 interest in the property of

FILED
MAR 26 1985

H. G. FERGUSON, CLERK

BY *E.M.* D.C. *min. Book 88, Page 616*

Robert Rutherford. That Terri Lynn Rutherford as Guardian of the person and estate of said minor desires to sign and deliver unto Terry Wayne Rutherford and wife, Deborah Joyce Rutherford, they being the remaining owners of the 1/2 interest of the property, a deed conveying the land for a consideration of \$10,041.52 with the additional consideration that Terry Wayne Rutherford and Deborah Joyce Rutherford are to assume the outstanding debt obligation on the property. Said consideration represents 1/2 of the outstanding equity in the property, being the amount of outstanding debt, \$23,016.97 subtracted from the appraised value of the property, \$43,100.00.

3. This Court would further show that the said minor is receiving for her respective share of the land the same consideration as her mother, Terri Lynn Rutherford, the only adult who owns an interest therein, and that it would be for the best interest of the minor for the said Terri Lynn Rutherford, as the Guardian of her person and estate, to execute and deliver said deed to said Terry Wayne Rutherford and Deborah Joyce Rutherford.

4. This Court shows that the amount to be received for the property is fair and reasonable and would be in the best interest of the minor child.

5. This Court further shows that the Petitioner would show that the parties to the transaction have agreed to divide equally all costs incidental to the sale of the property.

6. This Court further shows that the Petitioner would ask that the Court award an attorney fee in the amount of \$300.00 for services rendered to the Guardianship by Honorable William P.

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in. This Court further orders that this Decree be recorded in the DeSoto County Land

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Terri Lynn Rutherford, as Guardian of the person and estate of Andrea Lynn Rutherford, be authorized to execute and deliver to Terry Wayne Rutherford and Deborah Joyce Rutherford, a deed conveying said property on the payment of the consideration of \$10,041.52 less her proportionate share of necessary closing costs and additionally that Terry Wayne Rutherford and Deborah Joyce

AMB

Deed records.

Rutherford assume all financial obligations connected with said property and said amounts be distributed equally among the interested parties.

ORDERED, ADJUDGED AND DECREED, this the 26th day of March, 1985.


C H A N C E L L O R

Filed @ 11:30 A.M. March 28, 1985
Recorded in Book 177 Page 237
H. G. Ferguson, Clerk